

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SQUIRE SANDERS AND DEMPSEY,

No. C 09-3699 SI

Plaintiff,

**ORDER GRANTING DEFENDANT'S
MOTION TO SET ASIDE DEFAULT
AND DENYING PLAINTIFF'S MOTION
FOR DEFAULT JUDGMENT**

v.

ZIAD TAKIEDDINE,

Defendant.

On June 18, 2010, the Court held a hearing on defendant's motion to set aside the default and plaintiff's motion for default judgment. The Court finds that defendant has made a sufficient showing of excusable neglect, and there is no need for discovery on the matter. *See Pioneer Inv. Servs. Co. v. Brunswick Assoc. Ltd. P'ship*, 507 U.S. 380, 395 (1993); *Lemoge v. United States*, 587 F.3d 1188, 1192, 1194-96 (2009). The Court finds that there is no prejudice to plaintiff in setting aside the default, and the Court will address the delay in the litigation through case management and setting an expeditious pretrial schedule. Accordingly, the Court GRANTS defendant's motion to set aside the default and DENIES plaintiff's motion for default judgment and cross-motion to take discovery. (Docket Nos. 13, 22 & 30).

Defendant's answer to the complaint must be filed no later than **June 30, 2010**. The Court will hold a case management conference on **July 2, 2010 at 3:00 pm**.

IT IS SO ORDERED.

Dated: June 18, 2010



SUSAN ILLSTON
United States District Judge